



UNITED STATES DEPARTMENT OF COMMERCE
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| SERIAL NUMBER | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. |
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08/227,999 04/15/94 NILSSEN

B5M1/0725

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EXAMINER
RATLIFF, R

ART UNIT PAPER NUMBER

13

2502

DATE MAILED: 07/25/95

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

☒ This application has been examined ☒ Responsive to communication filed on 4/15/94 ☒ This action is made final.

A shortened statutory period for response to this action is set to expire 3 month(s), 0 days from the date of this letter.
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

- | | |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited by Examiner, PTO-892. | 2. <input type="checkbox"/> Notice of Draftsman's Patent Drawing Review, PTO-948. |
| 3. <input type="checkbox"/> Notice of Art Cited by Applicant, PTO-1449. | 4. <input type="checkbox"/> Notice of Informal Patent Application, PTO-152. |
| 5. <input type="checkbox"/> Information on How to Effect Drawing Changes, PTO-1474. | 6. <input type="checkbox"/> |

Part II SUMMARY OF ACTION

1. ☒ Claims 22-38 are pending in the application.

Of the above, claims _____ are withdrawn from consideration.

2. ☐ Claims _____ have been cancelled.
3. ☐ Claims _____ are allowed.
4. ☐ Claims _____ are rejected.
5. ☐ Claims _____ are objected to.
6. ☐ Claims _____ are subject to restriction or election requirement.
7. ☐ This application has been filed with informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.
8. ☐ Formal drawings are required in response to this Office action.
9. ☐ The corrected or substitute drawings have been received on _____. Under 37 C.F.R. 1.84 these drawings are ☐ acceptable; ☐ not acceptable (see explanation or Notice of Draftsman's Patent Drawing Review, PTO-948).
10. ☐ The proposed additional or substitute sheet(s) of drawings, filed on _____, has (have) been ☐ approved by the examiner; ☐ disapproved by the examiner (see explanation).
11. ☐ The proposed drawing correction, filed _____, has been ☐ approved; ☐ disapproved (see explanation).
12. ☐ Acknowledgement is made of the claim for priority under 35 U.S.C. 119. The certified copy has ☐ been received ☐ not been received ☐ been filed in parent application, serial no. _____; filed on _____.
13. ☐ Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.
14. ☐ Other

08/227999
PTOL-326 (Rev. 2/93)

EXAMINER'S ACTION

Art Unit: 2502

The following is a quotation of 35 U.S.C. § 103 which forms the basis for all obviousness rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Subject matter developed by another person, which qualifies as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

Claims 22, 23, 25 and 26 are rejected under 35 U.S.C. § 103 as being unpatentable over Stevens for reasons all of record.

Claims 27, 28 and 30-38 are rejected under 35 U.S.C. § 102(b) as anticipated by or, in the alternative, under 35 U.S.C. § 103 as obvious over Stevens for reasons all of record.

The limitation of newly added claim 38 is rejected using the rationale of record used to meet the functional limitations of the other claims of this rejection.

Claims 24 and 29 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Art Unit: 2502

Applicant's arguments filed 5/3/95 have been fully considered but they are not deemed to be persuasive.

The examiner views the applicant's arguments with respect to his input terminals 12a and 12b as unpersuasive as the applicant states at page 2 of the specification that his circuit is powered from a 120/volt 60Hz power line voltage such as is shown in the Stevens reference. Therefore it is the examiner's position that power line taught by Stevens must possess the recited electrical properties exhibited by the power line of the applicant. The applicant's arguments with respect to claim 23 are similarly unpersuasive as the AC output of the inverter of Stevens is clearly "at least two orders of magnitude" higher than that of the power line voltage. As for claim 25, the direct current bus voltage that powers the inverter transistors insures that the ignition voltage contains a "substantial" DC constituent, which is readable on relevant limitations of the claims. Limitations attributed to claim 25 in section (d) of the applicant's remarks cannot be found in the claims. It should be noted, however, that the external adjust circuit may in fact be used to increase the voltage after the ignition of the lamp (see column 4 lines 25-30) and is readable on the "arrangement" of claim 26. With regard to argument (h) Stevens teaches a squarewave readable on the non-sinusoidal waveform of claim 27 at column 3 lines 60-65. Finally it should be clarified that the examiner's position is that placing

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ballast circuitry in general in the threaded portion of lamp structures is old and therefore to mount the recited circuit to be fitted to the threaded portion of the lamp structure would be an obvious design expedient.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 C.F.R. § 1.136(a).


A SHORTENED STATUTORY PERIOD FOR RESPONSE TO THIS FINAL ACTION IS SET TO EXPIRE THREE MONTHS FROM THE DATE OF THIS ACTION. IN THE EVENT A FIRST RESPONSE IS FILED WITHIN TWO MONTHS OF THE MAILING DATE OF THIS FINAL ACTION AND THE ADVISORY ACTION IS NOT MAILED UNTIL AFTER THE END OF THE THREE-MONTH SHORTENED STATUTORY PERIOD, THEN THE SHORTENED STATUTORY PERIOD WILL EXPIRE ON THE DATE THE ADVISORY ACTION IS MAILED, AND ANY EXTENSION FEE PURSUANT TO 37 C.F.R. § 1.136(a) WILL BE CALCULATED FROM THE MAILING DATE OF THE ADVISORY ACTION. IN NO EVENT WILL THE STATUTORY PERIOD FOR RESPONSE EXPIRE LATER THAN SIX MONTHS FROM THE DATE OF THIS FINAL ACTION.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Reginald A. Ratliff whose telephone number is (703) 308-4904.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-0956.

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July 21, 1995


ROBERT J. PASCAL
SUPERVISORY PATENT EXAMINER
GROUP 2500